

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of June 22, 2010. All of the rejections are respectfully traversed. **Claims 44-78** are currently pending. **Claim 1** is amended. Amendment, reexamination and reconsideration are respectfully requested.

The Office Action

In the Office Action mailed June 22, 2010:

claims 44-78 are rejected under 35 U.S.C. §103(a) as being unpatentable over Reddy (U.S. Pub. No. 2003/0227643) in view of Kato (U.S. Pub. No. 2003/0036909) and further in view of Perkowski (U.S. Patent No. 6,961,712).

The Present Application

By way of a brief review, the present disclosure is related to a public access multimedia communications hub that can offer services in public spaces [0021], [0047]. The hub utilizes a security/authentication system for users [0022]. One advantage of the hub is a lockable printing feature [0024]. Print jobs are held on a storage medium until a user-provided code is entered [0024], [0049]. Alternatively, print output can be held in an assigned, secure output region until a user's arrival and identification is confirmed [0024], [0050]. The hub is preferably a fee-for-service multifunction kiosk, which includes print/scan/copy/storage/faxing capabilities [0031], [0033] and payment acceptance modules for access to such capabilities [0040]. Furthermore, the hub is capable of receiving data (for production of hard-copies) [0027] from and transmitting data to portable electronic devices in communication with the hub [0028] or to other electronic destinations. The hub is capable of accepting hard copy data for reproduction [0029]. Audio feedback devices can be employed for telecommunication purposes [0030]. A controller is in communication with at least one data and audio ports, a telephone module, a UI element (for audio file creation), user authenticator modules [0035], voice command modules [0036], dictation modules [0036], video input ports, cameras and video handling modules (for tele- and videoconferencing, video file

creation, etc.) [0037], storage data drives [0039], optical media drives [0046], and other collaboration software that permits users an ability to connect and collaborate with personal electronic devices [0042], s.a., e.g., laptops, PDAs, mobiles, etc [0046]. A display interacts with users to display requested data [0041].

The preferred hub includes a chassis of at least one tower that houses engines, the controller, the display(s), storage devices, and ports [0043]. Navigation of a network is available through spoken command [0045] and various input devices [0049].

In operation, motion and/or pressure sensors sense approaching users, thus causing an wireless inquiry to the user's personal electronic device for identification verification [0049]. Other authentication modules can alternatively be employed [0049].

The Cited References

Reddy (U.S. Pub. No. 2003/0227643)

Reddy is directed toward a system that provides interconnection of document processing devices to a network [0010]. The Reddy reference is related to a connection made between a document processing device and a token (i.e., a computer) by an interface, i.e., a communication link. The crux of the Reddy disclosure is directed toward the interface, which is a hand-held device [0058]-[0059] that functions as a router [0066]. The interface determines which port is available for network communication with a host computer [0044]. The interface can essentially be received in a port of a copier or similar document device, where it collects and manages information related to that copier for transmission to the host [0035], [0058]-[0059]. The interface performs tracking of projects, which can be stored for later collection, identifies users, identifies tokens (i.e., hand-held computers), and payment processing and information, etc. [0060]. The interface functions to connect copier and other document devices to a network [0068]. Users are then charged per byte of usage [0067].

An attached interface device terminal, including a display connected thereto, displays a list of alternate copiers available if the document handling device is being used [0091]. This terminal also receives codes entered there into for tracking departmental/financial/etc. projects [0070]. In summary, the interface is a means to bring a document handling device in network communication with a host. This interface

identifies a set of signals to be used with the document processing device based upon information in an identification circuit associated with the device [0038]. The interface identifies the device it connects to [0038] for tracking information related to the copier output, etc.

Kato (U.S. Pub. No. 2003/0036909)

Kato introduces the problem of conveyance of complicated instructions and selections on a traditionally sophisticated display on a multi-function peripheral (hereinafter "multi function machine") [0002]-[0008]. Kato is directed toward an interfacing of a multi function machine for receiving voice input and audio feedback [0009] while still capable of tracking a current position in a layered menu of multiple layers [0010]. The interface includes a tree menu structure that generates separate (layered) menus for each document handling function [0034]. The multi function machine includes a jack for receipt of a headset having a microphone and earphones [0066]. Receipt of that headset in the jack causes the function control to switch modes [0066] to one that utilizes voice recognition and voice synthesis for selection of document handling features. A sound icon, associated with operational items, outputs to the headset when the position is moved to new operational items [0055]. The control unit activates the audio output unit to notify the user by a sound icon or a voice message of a confirmed operation [0070]. The function control unit observes a status of the multi function machine during handling, and it notifies the operator by outputting a sound icon or a voice feedback message of the status [0071]. In other embodiments, the control unit is incorporated in a computer [0073].

Perkowski (U.S. Patent No. 6,961,712)

Perkowski originated from conventional methods of consumer-product information dissemination between manufacturers and retailers (col. 1, ll. 38-39). Perkowski is related to electronic commerce (EC) merchandising (col. 2, ll. 5), and a problem of circulating advertising and marketing materials not reflecting new/current content in web-sites (col. 3, ll. 25-50). The Perkowski disclosure is directed toward an apparatus for collecting product-related information and transmitting and delivering the

same between manufacturers and retailers (col. 4, ll. 30-31). An internet database provides a manufacturer-defined consumer-product directory that links end consumers to the supply and demand chain (col. 4, line 60 to col. 5, ll. 15). Any commercial product having an assigned Universal Product Number (UPN) is accessible on an internet based system where manufacturers simply link, update, and manage UPC numbers on a centralized database (col. 6, ll. 29-31, 57-62). In a retail shopping environment, a consumer product information access terminal at a station reads UPC numbers on products for sale in stores to access product related information from the internet for display on a screen (col. 7, ll. 40-45). Kiosks installed in the shopping environments have readers for reading the UPC numbers on the products and display the product-related information thereon the display screen (col. 7, ll. 50-56).

The Claims are Not Obvious

Claims 44-78 are rejected under 35 U.S.C. §103(a) as being unpatentable over Reddy (U.S. Pub. No. 2003/0227643) in view of Kato (U.S. Pub. No. 2003/0036909) and further in view of Perkowski (U.S. Pat. No. 6,961,712).

In the present Office Action, the Examiner maintains the primary and the secondary reference cited in the previous action, and includes a tertiary reference (Perkowski) for disclosing the previously presented limitation of a kiosk for operatively interacting with personal electronic devices that provide conferencing, production, and finishing services in a public environment.

The Examiner cites Perkowski for suggesting a kiosk for providing public access to a remote office space and services at kiosks in public spaces, wherein the kiosk is capable of operatively interacting with personal electronic devices for providing conferencing, production, and finishing services that are typically performed in an office work environment. Applicants direct the present argument to discuss the following distinctions between Perkowski and the application: (1) what is the service; (2) what services does the kiosk provide; (3) what subjects does the kiosk interact with; and, (4) analogousness of the art;

(1) what is the service.

In the present application, the services provided at and/or by the kiosk include at least the apparatuses or services (e.g., copying [0029], printing, faxing [0032], conferencing, etc.) available for completion of work product and/or entertainment compilation (e.g., CD/DVD burning of data, video, and audio [0005]; video games [0021]). Work product is generally completed in a work space and/or office environment that includes all the apparatuses and conveniences typical of office spaces; however, one aspect of the application is that services are made available in public (non-office, non-work space) environments for the completion of work product in a remote location not known to conveniently provide access the apparatuses. In essence, the kiosk is an office hub positioned in a non-office environment.

One primary distinction between the kiosk of the present claim and the kiosk of Perkowski is that the latter is essentially a consumer price-check station in a retail shopping environment (col. 7, ll. 40-55). Therefore, it provides a function typically provided in that same environment. For example, the kiosk may include a credit card transaction terminal for consumer purchase transactions (col. 15, ll. 2-3), or it may include a scanner for reading a bar code (col. 4, ll. 65-67). The multi-media kiosk is used as a Cyber sales agent (col. 14, ll. 60-64) *in* the retail environment that typically includes other stations that perform the same functions in that environment.

(2) who interacts with the kiosk.

In the present application, the user interacting with the kiosk is a person needing office equipment in a non-office environment that is generally remotely located from the office space. The user interacting with the kiosk in the Perkowski reference is a person needing retail information or completing a retail transaction in the retail shopping environment. The conferencing, faxing, copying, printing actions completed by the user of the application kiosk do not overlap the price-check and purchasing actions completed by the user of the alternate kiosk in the Perkowski reference.

(3) what services does the kiosk provide.

As previously discussed, the kiosk of the application provides multifunction services associated with production of office work product, wherein the reference

provides purchase related services associated with retail shopping. (See above sections 1 and 2).

Section 2114 of the MPEP states that an apparatus must be distinguished the prior art in terms of structure. Accordingly, Applicants firstly contend that Perkowski fails to disclose the structure cited in the previously presented claims. FIGURE 3A2 of the Perkowski reference illustrates an exemplary kiosk including a stand-alone unit. There is not disclosed in the description, nor illustrated, *inter alia*, a kiosk including a first tower, a *second tower*, and a display extending *between the two towers*.

(4) Non-Analogous.

Applicants contend that Perkowski would not have commended itself to the inventor's attention in considering his or her invention as a whole and, therefore, it is not reasonably pertinent as according to MPEP 2141.01(a). MPEP section 2141.01(a) first states that classification is some evidence of "nonanalogy". Perkowski is categorized in class 705/27: "Data Processing: Financial, Business Practice, Management, or *cost/price determination*". The present application is categorized under class 725: "Interactive Video Distribution System. Another consideration designated by the courts is similarity and differences in structure and function of the inventions. MPEP 2141.01(a), citing *In re Ellis*, 476 F.2d 1370, 1372, 177 USPQ 526, 527 (CCPA 1973). See the preceding paragraph for a discussion on a difference in structure. A function of the present application is the "conferencing, production, and finishing services in a public environment removed from an office or a home" (cl. 1). A function of the kiosk of Perkowski is assisting a completion transactions in a retail shopping environment (col. 7, ll. 40-55). More specifically, Perkowski in its entirety is directed toward a problem of circulating advertising and marketing materials not reflecting new/current content in web-sites (col. 3, ll. 25-50). The Perkowski disclosure is directed toward an apparatus for collecting product-related information and transmitting and delivering the same between manufacturers and retailers (col. 4, ll. 30-31). Retail product merchandising is not related to Applicants' endeavor. Accordingly, Applicants submit that Perkowski is an improper reference for use in citing against the limitation of a kiosk in a public environment as applied to conferencing, production, and finishing services.

Amendments

Applicants amend claim 1 herein to include a limitation not present in the prior art references. Namely, paragraphs [0024] and [0049] of the application describe a kiosk including a lockable printing feature [0024]. More specifically, the kiosk is adapted to hold print jobs in a storage medium until a user-provided code is entered [0024], [0049]. In an alternate embodiment, the kiosk is adapted to hold print output in an assigned, secure output region until a user arrives at the kiosk and his/her identification is confirmed [0024]. Paragraph [0022] enables the verification by disclosing a security/authentication system. Accordingly, Applicants amend claim 1 to include the feature of "a secure output region for storing the output until an identification of the user is verified". The marking-based output device (i.e., printer, image producing apparatus, etc.) was introduced in previous claims; however, Applicants amend the feature to be a "lockable" marking-based output device to which a user can direct output "using a provided code".

Applicants respectfully submit that the present limitations, read in consideration with the argument submitted herein, place this application in condition for allowance.

Telephone Interview

In the interests of advancing this application to issue, the Applicant(s) respectfully request that the Examiner telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

CONCLUSION

For the reasons detailed above, it is submitted all remaining claims (Claims 44-78) are now in condition for allowance. An early indication to that effect is therefore earnestly solicited.

☒ Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	35	- 106 =	0
INDEPENDENT CLAIMS	1	- 3 =	0

☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 24-0037.

Respectfully submitted,

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9/10/10
Date


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